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12 ABRAHAM AGUIRRE

13
14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE EASTERN DISTRICT OF CALIFORNIA

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18 UNITED STATES OF AMERICA,
19 Plaintiff,
20 vs.
21 ABRAHAM AGUIRRE,
22 Defendant.

Case No. 1:21-mj-00094-SAB

**UNOPPOSED MOTION FOR RULE 43
WAIVER OF APPEARANCE; ORDER**

23 Pursuant to Federal Rule of Criminal Procedure 43(b)(2) and (3), Abraham Aguirre,
24 having been advised of his right to be present at all stages of the proceedings, hereby requests
25 that this Court permit him to waive his right to personally appear at the July 20, 2023 motion
26 hearing.

27 Mr. Aguirre previously was granted a Rule 43 waiver in this case. (ECF #8). In a June
28 16, 2023, scheduling order, this Court ordered that Mr. Aguirre appear for the motion hearing
16, 2023, scheduling order, this Court ordered that Mr. Aguirre appear for the motion hearing
27 scheduled on July 20, 2023. (ECF #28). After briefing was completed, undersigned counsel
28 conferred with government counsel, and both agreed that there is no need to present evidence at
the hearing beyond that presented in the parties' exhibits.

29 Government counsel does not oppose this motion.

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1 Respectfully submitted,

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3 HEATHER E. WILLIAMS
Federal Defender

4 Date: July 14, 2023

5 /s/ *Laura Myers*
LAURA MYERS
6 Assistant Federal Defender
Attorney for Defendant
ABRAHAM AGUIRRE

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10 **O R D E R**

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12 Defendant's request for a waiver of appearance is granted. Pursuant to Rule 43(b)(2) and
13 (3), defendant's appearance is waived for the July 20, 2023, motion hearing.

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15 IT IS SO ORDERED.

16 Dated: July 14, 2023

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UNITED STATES MAGISTRATE JUDGE